

**D R A F T**  
**COMPREHENSIVE PLAN REVIEW**  
**POLICY PAPER #13**  
Ensuring Land Use Plan & Capital Facilities Plan Consistency

**DATE:** October 13, 2000

**BACKGROUND:**

The Growth Management Act has a variety of land use planning and capital facilities planning mandates. Taken as a whole they require Clark County to plan for anticipated growth and to provide the capital facilities necessary to support that growth at defined levels of service. Achieving these two goals is a delicate balancing act of three primary variables—levels and rate of population growth, adopted levels of service and anticipated revenue. Below are some of the relevant sections of the GMA that address both land use and capital facilities planning requirements.

*RCW36.70A020 (5)* requires local jurisdictions to “Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, and encouraging growth in areas experiencing insufficient economic growth, all within the capacities of the state’s natural resources, public services and public facilities”

*RCW 36.70A.020 (12)* requires local jurisdictions “Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.”

*RCW 36.70A.070* requires local jurisdictions to establish “a land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimate of future population growth.”

*RCW 36.70A.070 (3)(e)* requires jurisdictions to “reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities element, and financing plan within the capital facilities plan element are coordinated and consistent.”

*RCW 36.70A.070 (6)(iii)(E)* requires of jurisdictions “Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;”

*RCW 36.70A.070 (6)(iv)(A)* requires an analysis of funding capability to judge needs against probable funding resources.”

*RCW 36.70A.070 (6)(iv)(B)* requires of local jurisdictions “A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road or transit program required by....”

*RCW 36.70A.070 (6)(iv)(C)* requires that “If probable funding fall short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards shall be met;”

*RCW 36.70A.070 (6)(iv)(b)* requires that “After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies or accommodate the impacts of development are made concurrent with development....For the purposes of this subsection (6) ‘concurrent with development’ shall mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements within six years.”

*RCW 36.70A.110 (2)* requires that “Based upon the growth management population projection made for the county by the Office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that that is projected to occur in the county of city for the succeeding twenty-year period.”

*RCW 36.70A.120* requires each local jurisdiction “make capital budget decisions in conformity with its comprehensive plan.”

*RCW 36.70A.130 (3)* requires that “The county comprehensive plans designating the urban growth areas and the densities to permitted in the in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period. “

*RCW 36.70A.215 (4)* requires that “If the evaluation required by subsection (3) of this section demonstrates and inconsistency between what has occurred since the adoption of the county-wide planning policies and the county and city comprehensive plans and development regulations and what was envisioned in those policies and plans and the planning goals and the requirements of this chapter, as the inconsistency relates to evaluation factors specified in subsection (3) of this section, the county and its cities shall adopt and implement measures that are reasonably likely to increase consistency during the subsequent five-year period. If necessary, a county, in consultation with its cities as required by RCW 36.70A.210, shall adopt amendments to county-wide planning policies to increase consistency.”

An obvious mandate of the GMA is to provide area and densities sufficient to accommodate growth. But this also has to occur in the context of being fiscally constrained.

This should not diminish the importance of the capital facilities planning requirement, but challenges the community to come up with innovative solutions to the challenges that growth presents.

## **Types of Infrastructure**

There are three forms of infrastructure with direct concurrency requirements mandated by GMA: roads, water, and sewer. Indirect concurrency systems identified in the local comprehensive plans include: stormwater drainage, public schools, parks, fire protection, law enforcement & corrections, solid waste disposal, government facilities, electricity, natural gas, telecommunications, and public libraries.

Level of service standards for water, sewer and stormwater drainage are established external to local control. All other public facilities and services have at least some local discretion when establishing level of service standards.

The Steering Committee has discussed the potential for significant capital funding shortfalls in the mid-term future. This shortfall is in the order of one-third fewer dollars than needed to accommodate the current projected demands through 2012. However the county recently downsized its capital facilities plan with a very small impact on anticipated long-term levels of service. Perhaps the most important lesson we have learned since 1994 is that the capital facilities required to serve growth must be very carefully considered as we go through this plan update process. Because the consequences for inadequate planning are moratoria, in this update the capital facilities planning exercise—the consideration of various growth scenarios, their capital facilities impacts and our ability to pay for those impacts must be taken very seriously.

This also points to the need for annual review of the capital facilities plans for the county and for each of the cities. Growth forecasts will never be exact and safety projects may always trump planned capital improvements when developing annual budgets. Ensuring consistency between capital facilities plans and annual expenditure is an issue of process as much as policy. How can capital facilities plans be revisited annually or bi-annually as growth occurs and annual budgets are prepared and implements?

## **ORIGINAL INTENT:**

- 1) Land use plans, levels of service and anticipated revenues shall be internally consistent.
- 2) Capital expenditures by local jurisdictions and special districts shall be consistent with adopted capital facilities plans and comprehensive plans.

## **What issues have been raised on this subject?**

### **Capital Facility Planning vs. Concurrency**

Capital facility plans are based upon projected demand resulting from homogenous comprehensive plan designations and zoning districts.

Real-world development, on the other hand, often results in “hot spots”—areas where additional infrastructure is needed to meet demands. Proposed developments that create “hot spots” must volunteer to correct these problems, or be denied under state mandated concurrency requirements.

It is possible that the resulting corrections may spur additional development (and additional corrections) inconsistent with the adopted land use plan. For example, nationally adopted transportation standards suggest traffic signals should be installed when conflicting turning movements reach certain levels, even if the resulting delays denigrate the overall level of service on the arterial roadway. Will this practice, in turn, require additional capital expenditures to replace the lost arterial capacity?

### **Public Safety**

Many jurisdictions limit capital facilities planning to expansions of capacity, and do not address safety-related improvements even though they routinely fund public safety improvements. Traditionally, the same revenue stream already identified for capital improvements has funded public safety improvements as well.

### **Maintenance**

Maintenance costs continue to rise as new infrastructure comes on-line, and maintenance standards are tightened in response to external factors.

### **Sizing of Urban Growth Areas**

The urban growth areas have been sized to accommodate the projected public infrastructure needs. Significant deviations between needs and infrastructure should be addressed in a timely manner.

### **Timing**

Development that is more intense than planned may produce pressures for near-term capital investment that is inconsistent with the adopted capital facilities plan or are premature with respect to 20-year plan. For example, investments that occur at the edge of the urban area may trigger demands for improvements that connect the edge to the balance of the urban area *before* such improvements would be needed if an orderly progression of development occurred (from the existing core outwards towards the boundary).

Such atypical development may also have to be delayed or deferred if the necessary infrastructure and/or funding are not available.

## **OPTIONS:**

- A. Establish a “most likely” population and employment estimate then weigh the costs of various level-of-service standards against projected revenues. With the notable exceptions of potable water, public sewer, and stormwater drainage, all other infrastructure systems come with at least some local discretion for establishing level-of-service standards.

When establishing level-of-service standards, the suggested prioritization is:

1. Direct concurrency infrastructure (i.e., potable water, public sewer and stormwater drainage) that have level of service standards set externally.
2. Direct concurrency infrastructure (i.e., transportation) with locally established LOS standards.
3. Indirect concurrency infrastructure (such as public schools, parks, fire protection, law enforcement & corrections, solid waste disposal, government facilities, electricity, natural gas, telecommunications, and public libraries) with locally established LOS standards.

It may be useful to develop revenue projections based upon the low, medium and high OFM population projections. This should occur in the spring of 2001. With this data, decision-makers may be in a better position to balance historic growth trends with increasing costs of infrastructure and decreasing levels of service.

- B. Conversely, level-of-service standards may be established first—so long as the lowest OFM projections are accommodated.

In either scenario, the adopted level-of-service standards must be affordable for each jurisdiction. Local jurisdictions must then strive to ensure that capital expenditures are consistent with the adopted capital facilities plans and comprehensive plans.